

**CHAITMAN LLP**

Helen Davis Chaitman  
Gregory M. Dexter  
465 Park Avenue  
New York, New York 10022  
Phone & Fax: 888-759-1114  
[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)  
[gdexter@chaitmanllp.com](mailto:gdexter@chaitmanllp.com)

Hearing Date: September 28, 2016

Hearing Time: 10:00 a.m.

Objection Date: September 21, 2016

*Attorneys for Defendant Edyne Gordon*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC

Plaintiff,

v.

EDYNE GORDON, in her capacity as the executrix and  
primary beneficiary of the Estate of Allen Gordon,

Defendant.

Adv. Pro No. 10-04809 (SMB)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declaration  
of Helen Davis Chaitman with attached exhibits, and on such other and further arguments as may

be presented prior to and at the hearing on the motion, Defendant Edyne Gordon, in her capacity as the executrix and primary beneficiary of the Estate of Allen Gordon, by her undersigned counsel, will move (a) to compel discovery pursuant to Fed. R. Civ. P. 37, (b) for an order finding plenary waiver of privilege and work product, and (c) for an order barring the trustee from using at trial any evidence not produced during fact discovery before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on September 28, 2016 at 10:00 a.m.

Dated: New York, New York  
August 29, 2016

**CHAITMAN LLP**

By: /s/ Helen Davis Chaitman  
Helen Davis Chaitman  
Gregory M. Dexter  
465 Park Avenue  
New York, New York 10022  
Phone & Fax: 888-759-1114  
[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)  
[gdexter@chaitmanllp.com](mailto:gdexter@chaitmanllp.com)

*Attorneys for Defendant Edyne Gordon*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 29, 2016, I caused a true and correct copy of the foregoing document to be served upon the parties in this action who receive electronic service through CM/ECF and by electronic mail upon:

**BAKER & HOSTETLER LLP**

45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: [dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Estate of Bernard L. Madoff*

**CHAITMAN LLP**

By: /s/ Helen Davis Chaitman  
465 Park Avenue  
New York, NY 10022  
Phone & Fax: 888-759-1114  
[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)

*Attorneys for Defendant Edyne Gordon*